



ఆంధ్రప్రదేశ్ రాజపత్రము
THE ANDHRA PRADESH GAZETTE
PUBLISHED BY AUTHORITY

W.No.15

AMARAVATI, WEDNESDAY, APRIL 17, 2019

G.35

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

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NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

**CHIEF EXECUTIVE OFFICER,
A. P. STATE WAQF BOARD, VIJAYAWADA.**

KURNOOL DISTRICT - DORNIPADU (M) - MASJID AND ITS ATTACHED PROPERTIES ARE SITUATED AT W. GOVINDINNE (V) - Sri MULLA MOHIUDDIN BASHA, S/o. LATE IDUR SAHEB APPOINTED AS MUTAWALLI U/Sec.63 OF THE WAQF ACT, 1995 FOR A PERIOD OF (2) YEARS.

- Read : 1) Report of the I.A, Waqfs, Kurnool District, Dt: 07-10-2017, along with application of Sri. Mulla Mohiuddin Basha, S/o Idur Saheb, R/o. W.Govindinne (V), Dt: 05-10-2017 along with enclosures.
- 2) This Office Memo of even No., Dt: 11-01-2018 & 28-06-2018.
- 3) Report of the I.A, Waqfs, Kurnool District, Dt: 06-04-2018 & 31-07-2018 along with enclosures.
- 4) This Office Notification of even No., Dt: 30-10-2018.
- 5) Report of the I.A, Waqfs, Kurnool District, Dt: 20-11-2018.
- 6) Orders of the Hon'ble Chairperson, APSWB, Dt:17-01-2019.
- 7) This office letter even No., Dt: 21-01-2019.
- 8) Remarks received from Sri A. Md. Imtiaz, Joint Collector, Guntur District & the Hon'ble Board Member of APSWB, Dt: 01-02-2019.
- 9) Orders of the Hon'ble Chairperson, APS Waqf Board, Dt: 02 -02-2019.
- 10) Board's Resolution No.32/2019, Dated: 02-02-2019.
- 11) Orders of the Hon'ble Chairperson, APSWB, Dated: 18-02-2019.

F.No.02/M/KNL/2018/Z-IV,- The Waqf institution Mosque, situated at W.Govindinne (V), Dornipadu (M) of Kurnool District, along its attached lands in Sy.No. 523, Ac. 13.90 cents, Sy.No. 578, Ac. 62.42 cents, Sy.No.580, Ac 3.75 cents, Sy.No. 656, Ac.0.30 cents and Sy.No. 665, Ac. 156.12 cents, making a total of Ac. 236.49 cents situated at W.Govindinne (V) are the notified Waqf duly published in the A.P. Gazette No. 18-A, dated: 02-05-1963 under Serial No. 1997 under the Towliath of 1) Sri. Mulla Ahmed Fakru Mian, 2) Sri. Mulla Ahmed Mian & (10) others, who were died long back.

The Inspector Auditor, Waqfs, Kurnool District has submitted his report in the ref. 1st read above, while enclosing the application of Sri. Mulla Mohiuddin Basha, S/o Late Idur Saheb, R/o. W.Govindinne (V), Dornipadu (M), Kurnool District, recommended to appoint the applicant as Mutawalli in place of Sri. Mulla Ahmed Mian, late Notified Mutawalli for the subject Mosque.

This Office has issued Memo in the ref. 2nd read above, to the I.A Waqf, Kurnool District for detailed report, along with certain documents of the institution.

The I.A Waqf, Kurnool District has reported in the ref. 3rd read above, that the attached lands of the subject Masjid are intact and enjoying the legal heirs of the notified Muthawallies and the applicant is managing the affairs of the Masjid along with other legal heirs of the other notified Muthawallies. The applicant constructed the Masjid. He has maintaining the accounts of income & expenditure, paying the Waqf Fund regularly to the Board and no court cases are pending.

In the ref. 4th read above, the Board has issued a paper notification duly calling claims or objections if any, may be file their claims or objection for the appointment of Sri. Mulla Mohiuddin Basha, S/o Late Idur Saheb, in place of Sri. Mulla Ahmed Mian as a Mutawalli U/sec. 63 of Waqf Act, 1995 to the subject Waqf institution, within a period of (15) days from the date of publication of this notification with documentary evidence.

In the ref. 5th read above, the I.A Waqf, Kurnool District has reported that the paper notification was published in the Telugu daily News paper, Andhra Prabha, on 04-11-2018 in Kurnool District edition, and within the stipulated period no objections received against the said notification.

In the ref. 6th read above, the matter was placed before the Hon'ble Chairperson, APSWB, who after careful examination and passed orders "remarks obtain from Joint Collector Guntur District & Hon'ble Member of A.P. State Waqf Board in the light of Board Resolution No. 183/2018, Dt: 13-11-2018".

In the ref. 7th read above, this office has addressed a letter to Sri A.Md. Imtiaz, I.A.S., Joint Collector, Guntur District & Hon'ble Member of AP State Waqf Board with a request to arrange the remarks in the subject matter.

In the ref. 8th read above, the Hon'ble Member has furnished remarks that the applicant Sri Mulla Mohiuddin Basha, S/o late Idur Saheb is eligible person for appointment of Mutawalli to the subject Waqf Institution U/Sec. 63 of Waqf Act, 1995.

As such, the matter was placed before the Hon'ble Chairperson, A.P. State Waqf Board who after careful examination of the matter and passed orders vide ref. 9th read above, to place the matter before the Board meeting.

Then, the said matter was placed before the Board, and the Board has passed a resolution in the ref. 10th read above, "It is unanimously resolved to appoint Sri. Mulla Mohiuddin Basha, S/o. Late Iduru Saheb as Muthawalli U/Sec. 63 of Waqf Act, 1995 for a period of (2) years for managing the affairs of subject Waqf Institution by following Waqf Act, 1995 and Waqf Rules from the date of issue of this orders".

The Hon'ble Chairperson has agreed for implementation of the Resolution No. 32/2019, Dt: 02-02-2019, and to issue orders.

Accordingly, Sri Mulla Mohiuddin Basha, S/o late Idur Saheb is hereby appointed as Mutawalli U/sec. 63 of Waqf Act, 1995 to the subject Waqf institution for a period of two (2) years from the date of issue of this proceedings for managing the affairs of the subject Waqf institution by following the Waqf Act, 1995 and Waqf Rules.

The Mutawalli should discharge his legitimate duties strictly as determined in Section 50 of Waqf Act, 1995 read with Rule 20 of A.P. Waqf Rules, 2000 and should follow the instructions issued by the Board from time to time. He should submit the accounts, Budget, Income & Expenditure statements and pay Waqf fund properly, failing which action will be taken against him U/Sec. 61 and 64 of the Waqf Act, 1995 as the duties mentioned below.

- a) To implement the orders issued by the Board from time to time.
- b) To carry out the directions of the Board
- c) To allow inspection of the Inspector Auditor, Waqfs regarding property, accounts, records, deeds and documents relating thereof.
- d) To discharge all public duties.
- e) To do any other Act which he is Lawfully required to do so or under this Act.
- f) Shall render proper and correct accounts of the Institution and its attached properties and shall not suppress any facts.
- g) That the Mutawalli is restricted to grant lease of Waqf property exceeding one year.
- h) The Mutawalli should follow the Norms fixed in Section 56 of the Waqf Act, 1995 while granting Lease of any agricultural land. He should follow Lease Rules, 2014 to put open auction through A.P. State Waqf Board.
- i) He will not entitled to expend the Monies of Waqf exceeding @10% of the Net annual Income.

As per Sec. 101 (2) of Waqf Act, 1995, "Every Mutawalli of a Waqf, every member of managing committee whether constituted by the Board or under any deed of Waqf, every Executive Officer and every person holding any office in a Waqf shall also be deemed to be a public servant within the meaning of Sec.21 of the Indian Penal Code". As such, for the illegal acts if any, every member of the committee will be liable for penal action. The Mutawalli shall also noted that Sec.3 (ee) defined encroacher, Sec. 52-A explain rigorous punishment up to (2) years and Sec.61 speaks penalty and punishment up to (6) months for the lapses / charges shown therein, hence should act carefully diligently and maintain accounts scrupulously.

The APSWB reserves its right to modify / cancel / alter / with hold the order at any time without assigning any reasons thereof.

SHAIK AHAMMED,
Chief Executive Officer,
Andhra Pradesh State Waqf Board,
Vijayawada.

Dated: 26-02-2019.

To
Sri. Mulla Mohiuddin Basha,
S/o. Late Idur Saheb,
Muthawalli of Mosque W. Govindinne (V),
Dornipadu (M),
Kurnool District. (Through I.A.Waqf, Kurnool District.)

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